

## **EXHIBIT 12**

CONFIDENTIAL UNDER PROTECTIVE ORDER

Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

EIG ENERGY FUND XIV, L.P.,  
EIG ENERGY FUND XIV-A, L.P.,  
EIG ENERGY FUND XIV-B, L.P.,  
EIG ENERGY FUND XIV (CAYMAN),  
L.P., EIG ENERGY FUND XV, No. 18-cv-01047-PGG  
L.P., EIG ENERGY FUND XV-A,  
L.P., EIG ENERGY FUND XV-B,  
L.P., and EIG ENERGY FUND XV  
(CAYMAN), L.P.,

Plaintiffs,

vs.

KEPPEL OFFSHORE & MARINE  
LTD.,

Defendant.

-- CONFIDENTIAL UNDER PROTECTIVE ORDER --

FEDERAL RULES OF CIVIL PROCEDURE 30(b)(6)

VIDEO-RECORDED DEPOSITION OF HOSHRAY PATEL

REMOTE ZOOM PROCEEDING

San Francisco, California

Friday, May 14, 2021

REPORTED BY:

LESLIE ROCKWOOD ROSAS, RPR, CSR 3462

Pages 1 - 114

Job No. 4579413

CONFIDENTIAL UNDER PROTECTIVE ORDER

Page 83

1 requirements of establishing and/or increasing reserve  
2 accounts"?

3 A. No, I don't recall this.

4 Q. And who is Daniel Rodriguez?

5 A. I vaguely recall that he was a member of the  
6 team at Lakeshore Partners.

7 Q. And who is Ivan Hong?

8 A. I also vaguely recall that he was a member of  
9 the team at Lakeshore Partners.

10 Q. Do you recall meeting either Mr. Hong or  
11 Mr. Rodriguez?

12 A. I don't recall one way or the other.

13 Q. And I believe in your Petrobras deposition, you  
14 testified that you visited Brazil once while you worked  
15 at EIG; is that right?

16 A. Yes, that's correct.

17 Q. And who else from EIG joined you on your trip to  
18 Brazil?

19 A. I recall Simon Hayden and Kevin Corrigan being  
20 present.

21 Q. Do you recall anyone else?

22 A. I don't recall anyone else from EIG being  
23 present.

24 Q. Do you recall anyone else from any other company  
25 or entity?

CONFIDENTIAL UNDER PROTECTIVE ORDER

Page 84

1 MS. PAK: Objection to form.

2 THE WITNESS: Well, I recall that we met with  
3 people from Sete. I recall that we met with people in  
4 Lakeshore. I recall we met with two members of the team  
5 from ADICO.

6 Q. BY MR. KUMAGAI: And what is ADICO?

7 A. Abu Dhabi Investment Council.

8 Q. Do you recall the names of the two people from  
9 ADICO that you met?

10 A. Jeppe Starup and Amir Ali.

11 Q. And do you recall who you met at Sete?

12 A. I recall that we had a meeting with Ferraz, and  
13 I cannot recall who else was present.

14 Q. And who invited -- who at EID invited you to  
15 attend the trip to Brazil?

16 A. I do not recall.

17 Q. Do you know why you were invited?

18 A. I don't recall.

19 Q. Do you know what your role was on the trip?

20 A. I don't have a recollection.

21 Q. And you testified in your Petrobras deposition  
22 that you visited a shipyard on your trip to Brazil with  
23 EIG; is that right?

24 A. Correct.

25 Q. And do you recall how you got to the shipyard?

CONFIDENTIAL UNDER PROTECTIVE ORDER

Page 85

1 A. I don't recall.

2 Q. Do you recall if you drove or flew to the  
3 shipyard?

4 A. I frankly don't recall.

5 Q. And who from EIG attended the shipyard with you?

6 A. I don't recall, but my suspicion -- strong  
7 suspicion is that Simon and Kevin were there, but I don't  
8 recall.

9 Q. Simon Hayden? Is that who you mean?

10 A. Simon Hayden and Kevin Corrigan.

11 Q. And do you recall whether there was anyone else  
12 with you?

13 MS. PAK: Objection to form.

14 THE WITNESS: I don't recall who else was with  
15 us.

16 Q. BY MR. KUMAGAI: Did anyone from ADICO attend  
17 the shipyard with you?

18 A. I cannot remember.

19 Q. Did anyone from Lakeshore attend the shipyard  
20 with you?

21 A. I cannot remember.

22 Q. Did anyone from Petrobras attend the shipyard  
23 with you?

24 A. I cannot remember.

25 Q. Did anyone from Sete attend the shipyard with

CONFIDENTIAL UNDER PROTECTIVE ORDER

Page 86

1     you?

2             A.   I do not recall.

3             Q.   Do you recall meeting any employees of the  
4     shipyard?

5             A.   I cannot recall.

6             Q.   Do you recall any presentations during your  
7     visit to the shipyard?

8             A.   I cannot recall.

9             Q.   Do you recall a safety presentation at the  
10    shipyard?

11            A.   I cannot recall.

12            Q.   Do you recall watching any videos or slide shows  
13    at the shipyard?

14            A.   I do not recall.

15            Q.   Do you recall taking a tour of the shipyard?

16            A.   I don't recall.

17            Q.   Do you recall putting on any safety equipment,  
18    like a hardhat or visibility vest, at the shipyard?

19            A.   I don't recall.

20            Q.   Do you recall whether any tour was in English or  
21    Portuguese at the shipyard?

22            A.   I do not recall.

23            Q.   Do you recall whether a man or a woman gave any  
24    tour of the shipyard?

25            A.   I do not recall.

CONFIDENTIAL UNDER PROTECTIVE ORDER

Page 87

1 Q. And do you recall what you saw at the shipyard?

2 A. I do not recall.

3 Q. Do you recall asking any questions of anyone at  
4 the shipyard?

5 A. I do not recall.

6 Q. Do you recall whether anyone with you was asking  
7 questions of anyone at the shipyard?

8 A. I don't recall.

9 Q. Do you recall whether Kevin Corrigan asked  
10 anyone any questions at the shipyard?

11 A. I don't know.

12 Q. Do you recall whether Simon Hayden asked anyone  
13 any questions at the shipyard?

14 A. I do not recall.

15 Q. Do you recall seeing Simon Hayden or  
16 Kevin Corrigan speaking to any employees at the shipyard?

17 A. I do not recall.

18 Q. Do you recall whether any tour that you took of  
19 the shipyard was inside or outside?

20 A. I do not recall.

21 Q. Do you recall what the weather was like when you  
22 visited the shipyard?

23 A. I do not recall.

24 Q. Do you recall anything that you saw at the  
25 shipyard?

CONFIDENTIAL UNDER PROTECTIVE ORDER

Page 88

1 A. No, sir. I do not recall.

2 Q. You do not recall seeing any ships being built  
3 at the shipyard?

4 A. I do not have a recollection.

5 Q. You don't recall whether you saw any ships under  
6 construction at the shipyard?

7 A. No recollection one way or the other.

8 Q. You don't recall anything about your visit to  
9 the shipyard?

10 MS. PAK: Objection to form.

11 THE WITNESS: I think what I can recall is that  
12 we had attended -- or excuse me -- we had visited a  
13 shipyard. But beyond that, my memory is drawing a  
14 complete blank.

15 Q. BY MR. KUMAGAI: That is everything you remember  
16 about the shipyard visit, just that you attended the  
17 visit to the shipyard?

18 A. That's correct, and that we had planned to  
19 attend as well.

20 Q. What do you mean when you say "and that we had  
21 planned to attend as well"?

22 A. Well, that was part of the trip, we were going  
23 to visit one of the shipyards.

24 MR. KUMAGAI: Claudia and Mr. Patel, do you guys  
25 want to just break for lunch now?



CONFIDENTIAL UNDER PROTECTIVE ORDER

Page 89

1 THE WITNESS: Yeah, could do. Sure.

2 MR. KUMAGAI: Is that okay?

3 MS. PAK: Yeah, we can go off the record.

4 MR. KUMAGAI: Okay. Great.

5 THE VIDEOGRAPHER: The time is 12:37, and we're  
6 going off the record.

7 (Recess.)

8 THE VIDEOGRAPHER: The time is 1:32, and we're  
9 back on the record.

10 Q. BY MR. KUMAGAI: Mr. Patel, did you speak with  
11 counsel about your testimony during the break?

12 A. No, I did not.

13 Q. Are you familiar with a company called  
14 Barrington Media?

15 A. No, I'm not familiar with them.

16 Q. Did you work with Barrington Media when you were  
17 at EIG?

18 A. I don't recall if I did or didn't.

19 Q. Did you attend EIG's annual investors'  
20 conferences?

21 A. I did attend some of them, yes.

22 Q. Which investors' conferences did you attend?

23 A. I frankly don't recall.

24 Q. Did you attend every year that you were at EIG?

25 A. I'm frankly not sure what happened in the last

CONFIDENTIAL UNDER PROTECTIVE ORDER

Page 114

1 STATE OF CALIFORNIA ) ss:

2 COUNTY OF MARIN )

3

4 I, LESLIE ROCKWOOD ROSAS, RPR, CSR NO. 3462, do  
5 hereby certify:

6 That the foregoing deposition testimony was  
7 taken before me at the time and place therein set forth  
8 and at which time the witness was administered the oath;

9 That testimony of the witness and all objections  
10 made by counsel at the time of the examination were  
11 recorded stenographically by me, and were thereafter  
12 transcribed under my direction and supervision, and that  
13 the foregoing pages contain a full, true and accurate  
14 record of all proceedings and testimony to the best of my  
15 skill and ability.

16 I further certify that I am neither counsel for  
17 any party to said action, nor am I related to any party  
18 to said action, nor am I in any way interested in the  
19 outcome thereof.

20 IN WITNESS WHEREOF, I have subscribed my name  
21 this 17th day of May, 2021.

22

23

24

25



LESLIE ROCKWOOD ROSAS, RPR, CSR NO. 3462

**ERRATA SHEET***EIG v. Keppel***Hoshrav Patel Transcript (#4579413)**

<u>Page</u>	<u>Line</u>	<u>Change</u>	<u>Reason</u>
40	17	"Albay" should be "Albe"	Transcription error
40	20	"Albay" should be "Albe"	Transcription error
66	21	"EIG_KEP_0079317" should be "EIG_KEP_00079317"	Clarification
68	12	"incorporating" should be "incorporated"	Clarification
75	7	"PNI" should be "P&I"	Transcription error
75	14	"PNI" should be "P&I"	Transcription error
75	23	"Console PNI" should be "Consol P&I"	Transcription error
76	15	"Console PNI" should be "Consol P&I"	Transcription error
76	16	"Console PNI" should be "Consol P&I"	Transcription error
81	18	"1.84xROI" and "1.62xROI" should be "1.84x ROI" and "1.62x ROI"	Transcription error
84	10	"Amir" should be "Amer"	Clarification
84	14	"EID" should be "EIG"	Transcription error
91	1	"recall?" should be "recall."	Transcription error
92	1	"DC" should be "D.C."	Transcription error
92	2	"DC" should be "D.C."	Transcription error


  
Hoshrav Patel


  
Date